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ATTEST

By Tarrell L. Littleton on Jan 13, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Dec 29, 2009

FILED
CLERK'S OFFICEUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**IN RE: CONOCOPHILLIPS CO. SERVICE
STATION RENT CONTRACT LITIGATION**J&F Oil Corp. v. ConocoPhillips Co., et al.,
C.D. California, C.A. No. 2:09-9021

)

MDL No. 2040

CONDITIONAL TRANSFER ORDER (CTO-5)

On June 11, 2009, the Panel transferred eight civil actions to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 626 F.Supp.2d 1344 (J.P.M.L. 2009). Since that time, 21 additional actions have been transferred to the Northern District of California. With the consent of that court, all such actions have been assigned to the Honorable Ronald M. Whyte.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Northern District of California and assigned to Judge Whyte.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the order of June 11, 2009, and, with the consent of that court, assigned to the Honorable Ronald M. Whyte.

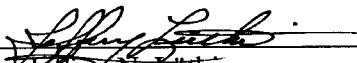
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Jan 13, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
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FOR THE PANEL:


 Jeffrey N. Luthi
 Clerk of the Panel